

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WILLIE D. BARFIELD,)	
)	
Plaintiff,)	8:07CV408
)	
v.)	
)	
NEW BIRTH HOME,)	MEMORANDUM AND
)	ORDER
Defendant.)	

This matter is before the court on its own motion. On October 31, 2007, the court entered a Memorandum and Order giving Plaintiff until December 31, 2007 to file an amended complaint brought on behalf of the Estate of Annette Barfield, Deceased, by a duly appointed personal representative (whether the current plaintiff or someone else). (Filing No. 6.) Plaintiff was notified that because allowing an action by a non-attorney personal representative who appears pro se would constitute the unauthorized practice of law, the amended complaint must be signed by an attorney. (Filing No. 7.) Plaintiff filed a timely response to the court's Memorandum and Order stating "we show that we have filed to be appointed to executor of our daughter's estate." (Filing No. 10.) This response, however, fails to comply with the court's Memorandum and Order requiring that Plaintiff file an amended complaint brought on behalf of the Estate of Annette Barfield, Deceased, by a duly appointed personal representative, and that the amended complaint be filed by an attorney.

The court will give Plaintiff an additional thirty days to comply with its Memorandum and Order. If Plaintiff needs to locate a lawyer he may contact the Nebraska State Bar Association's lawyer referral service. The service is at 635 South 14th Street, P.O. Box 81809, Lincoln, Nebraska 68501-1809. The telephone number is (402) 475-7091, ext. 132, and the fax number is (402) 475-7098. Plaintiff is

warned that failure to comply with this order may result in the dismissal of Plaintiff's action without prejudice and without further notice.

IT IS THEREFORE ORDERED that:

1. Plaintiff shall have until March 27, 2008 to file an amended complaint that is brought on behalf of the Estate of Annette Barfield, Deceased by a duly appointed personal representative (whether the current plaintiff or someone else). The amended complaint must be signed by an attorney.

2. The Clerk of the court is directed to set a pro se case management deadline using the following language: March 27, 2008 deadline for filing amended complaint.

February 27, 2008.

BY THE COURT:

s/Richard G. Kopf
United States District Judge